

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11

12 TFS Electronic Manufacturing Services,)
13 Inc.,)

14 Plaintiff,)

15 v.)

16 Topsearch Printed Circuits (HK) Ltd.,)

17 Defendant.)
_____)

Case No.: C 07-80068 JF (PVT)

**FURTHER ORDER RE ORDER
GRANTING IN PART AND DENYING
IN PART DUY NGUYEN'S MOTION
TO QUASH SUBPOENA**

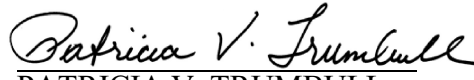
18 On March 6, 2007, non-party Duy Nguyen ("Nguyen") filed a motion asking that the court
19 quash the subpoena served on him by Plaintiff or, in the alternative, that the court issue a protective
20 order requiring his deposition go forward when he is present in the United States.¹ Plaintiff opposed
21 the motion. On March 16, 2007, the court issued an order Granting in Part and Denying in Part Duy
22 Nguyen's Motion to Quash Subpoena. In that order the court ordered that counsel meet and confer
23 regarding the date and location for non-party Duy Nguyen's deposition, and if they could not agree,
24 then by April 6, 2007 for non-party Duy Nguyen, Plaintiff, and any other party wishing to participate
25 in the deposition of Nguyen, to file declarations setting forth their availability during May, as well as
26 their positions regarding the appropriate location for the deposition. On April 5 & 6, 2007,
27

28 ¹ The holding of this court is limited to the facts and the particular circumstances
underlying the present motion.

1 declarations were filed by counsel for Plaintiff TFS Electronic Manufacturing Services, Inc.,
2 Defendant Avocent Corporation, and non-party Duy Nguyen.² Based on the declarations filed and
3 the file herein,

4 IT IS HEREBY ORDERED that non-party Duy Nguyen shall appear for deposition at
5 9:00 a.m. on May 8, 2007, in Phoenix, Arizona, at a specific location to be designated by Plaintiff.
6 No later than April 27, 2007, Plaintiff's counsel shall give written notice of the specific location in
7 Phoenix for the deposition to counsel for non-party Duy Nguyen and all other parties to this action.

8 Dated: 4/17/07

9 
10 PATRICIA V. TRUMBULL
11 United States Magistrate Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

27
28 ² The declaration submitted by counsel for non-party Duy Nguyen does not include any
information regarding Nguyen's availability in May. The court construes this as a lack of objection by
Nguyen to any date in May, or to any U.S. location, for his deposition.